

NEW YORK TIMES
23 October 1986

Contra Aid: Who Are the Planners?

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Special to The New York Times

WASHINGTON, Oct. 22 — When Congress barred the Administration from providing military aid to Nicaraguan rebel forces, the system adjusted, as Administration officials put it, so that aid continued to reach the contras.

The question that has arisen, in Congress and elsewhere, is whether the Administration is directly or indirectly involved in the continuation of that aid and if so, what was the nature of that involvement.

According to a number of official accounts, three things happened:

¶Senior Administration officials, in conjunction with a number of private American citizens, did help devise a plan three years ago to insure that the contras received lethal as well as non-lethal aid from private groups.

¶When the plan was first set in motion, these officials did what was necessary to facilitate these "private" operations — opening doors with friendly leaders in Central America and gathering funds from places like Saudi Arabia.

¶Throughout, these officials kept themselves generally informed of what was going on, and by one account, even maintained "operational contact" with the private groups supplying the military equipment.

At Center of Planning

The Reagan Administration officials said three senior Administration officials were at the center of this planning: William J. Casey, Director of Central Intelligence; Lieut. Col. Oliver L. North of the Marines, with the National Security Council staff, and Elliot Abrams, Assistant Secretary of State for Inter-American Affairs.

Mr. Abrams was described by one key participant as "the general strategist," and Mr. Casey and Colonel North as more concerned with operations.

The officials who provided this information said there was no "paper trail," meaning no studies or policy option papers exist.

Most of the officials interviewed maintained that these activities did not violate the law.

Law Changed in 1984

They pointed out that at the time the plan was worked out, there was no Congressional prohibition against doing so. In 1983, the law simply stated that no military equipment, advice or support could be provided "for the purpose of overthrowing the Government of Nicaragua or provoking a military exchange between Nicaragua and Honduras."

Even when this law was strengthened in 1984, it simply stated that the funds approved should not be spent to support "directly or indirectly, military or paramilitary operations in Nicaragua by any nation, group, organization, movement or individual."

In the view of these officials, planning in the form of encouragement of private groups and of facilitating their activities did not contravene the laws. But these and other officials also said they were not aware of discussions or studies at the time within the Administration about whether the Administration's role might run afoul of the law in fact as well as in spirit.

In a Sense, a Moot Issue

The legal issues, in a sense, became moot today as President Reagan signed an executive order putting the new legislation into effect. Under great pressure from the Administration, Congress agreed to provide \$100 million for lethal and nonlethal aid to the contras this year.

All of the officials interviewed said senior Administration officials were aware throughout of the activities of the private groups. They provided conflicting accounts, however, on the role of certain officials in facilitating these activities and on whether the officials knew that lethal aid was involved.

The official position of the Administration — from Secretary of State George P. Shultz, to the Central Intelligence Agency, the White House and the Pentagon — is that the Administration had no "links" or "connections" with military-supply operations.

But all accounts, Vice President Bush, Mr. Casey and others did encourage private support of the contras, and they did so publicly as well as privately.

By most accounts, Mr. Casey, Colonel North and others did play a role in getting Americans, Saudis and others to provide money for unspecified aid to the contras.

By most accounts, these same officials talked with top civilian and military officials in the Salvadoran and Honduran governments to facilitate the operations of the private groups. The Administration officials were said to have arranged for the private groups to use air bases, storage facilities, and the like in El Salvador and in Honduras.

But the officials disagreed on whether Mr. Casey, Mr. Abrams and others were aware that lethal or military equipment was being provided.

"In White House meetings, they made no secret that they knew that these groups were down there operating with official Salvadoran and Honduran blessing, but no one at these meetings every said anything about lethal aid," said one participant. "But while it wasn't stated explicitly, it was understood by all."

It is difficult to reconstruct exactly what senior Administration officials did on this issue over the last three years to keep the military pipeline open to the contras. But two points are clear from the interviews.

First, the leaders of the Administration had no doubt about their policy. It was, and remains, to do whatever is necessary to either radically change the present Nicaraguan Government or to remove it from power.

Second, the leaders also felt that the laws were murky enough not to stand in their way.

Some legislators have contended that the Administration and the private groups are in violation of the Neutrality Act of 1794. That law provides for prosecution of "whoever, within the United States, knowingly begins or sets on foot or provides or prepares a means for or furnishes the money for, or takes part in, any military or naval expedition or enterprise to be carried on from thence" against a foreign government with which "the United States is at peace."

To this, the Administration has responded that Congress itself has authorized aid to the contras in various forms. Further, in April 1984, the Justice Department informed Congress that in its view the Neutrality Act does not prohibit anything done in "the conduct of official foreign policy."